

**Idaho Fish and Game Commission  
Special Meeting  
February 1, 2006  
Fish and Game Headquarters  
Boise, ID**

Present in the Director's Office: Director Steven Huffaker; Terry Mansfield, Deputy Director; Dallas Burkhalter, Deputy Attorney General; Jim Unsworth, Chief, Bureau of Wildlife; Roger Fuhrman, Chief, Bureau of Communications; Sharon Kiefer, Legislative Liaison; Steve Barton, Assistant to the Director; Jim Lau, Chief, Bureau of Administration; Dave Parrish, Magic Valley Regional Supervisor and Mary Boyer, Administrative Assistant.

A special meeting of the Idaho Fish and Game Commission was held by telephone conference. The meeting was called to order by Chairman Cameron Wheeler at 8:00 a.m. with Commissioners Alex Irby, Wayne Wright, Gary Power, Marcus Gibbs and John Watts. Commissioner Tony Mc Dermott joined the call at 8:15 a.m.

**LEGISLATION**

**Legislative Update**

Sharon Kiefer, Legislative Liaison briefed Commissioners on the following legislative bills. Legislative Analysis sheets (Appendix 39, Exhibit 22) were sent to Commissioners via email. The Department is actively tracking these pieces of legislation. They are as follows:

**Senate Bill 1283**

This is a Senior License Fee Adjustment that would roll back the senior licenses to a comparable price that would represent a 10 % increase. Relative to and the rationale being that in general with our last fee increase, licenses were increased on the order of 10-15% except for the senior licenses which had a substantially larger percentage of increase. Senator Schroeder has introduced this bill to give a similar percentage of increase. Commissioners were provided some background about the current senior cost of licenses compared to the junior licenses. At the time of the license increase, the rationale was to somewhat harmonize the cost for senior and junior licenses. Information was provided about the estimated fiscal effect to the Department if indeed this bill were to pass. It would be appropriate for the Department to both monitor and answer questions which staff has been doing for the Senator, as well as testify when this bill comes to committee. To date this bill has not shown up on a committee calendar.

Senator Schroeder asked the Department to produce a modeling exercise relative to revenue that would be produced if all licenses that had some change attached like \$12.50

were rolled up to the next dollar. That analysis generally found that the deficit that would likely be created by the senior roll back would be \$57,000. Senator Schroeder has not done anything legislatively with the information that we provided him with.

Steve Huffaker commented the fee structure for seniors was something last year that was not in the Department's original proposal. It was added legislatively, and in talking to the legislators who crafted the final bill they said the same thing. The senior license had not been raised for quite a while, seniors are an increasing portion of the population, and that if we were ever going to get some equity between the senior license and junior license this was the time to do it. So that was the rationale for the increase. The bill has been printed and sent to the Senate Resource and Environment Committee. As stated earlier the bill has not shown up on any calendar agenda.

Chairman Wheeler stated that the Commission would like to monitor this bill and to see if it comes out of the Senate Resource committee and once it comes out of the committee then we will have a good idea of what it looks like. The Department should continue to provide information and testify when the bill is presented to the committee.

#### **Senate Joint Memorial 116 & Senate Joint 115**

Both Senate Joint Memorials 116 and 115 are similar.

##### **SJM 116**

The purpose of this memorial is to unequivocally state the position of the legislature of the State of Idaho regarding the sale of Public Lands. Our position to the President and Congress of the United States of America is to oppose the sale of federal lands located in Idaho for the purported reason of helping the victims of Hurricane Katrina or any other purpose; and urging the President and Congress that any future sale of federal public lands in Idaho involve the participation of the Idaho people and be conditioned upon access to the remaining public lands.

##### **SJM 115**

Senate Joint Memorial 115 is more straightforward in its approach but has the same general intent as SJM 116. SJM 115 recognizes the federal sale/exchange of insignificant parcels of land. It is not specific to sale to provide revenue to Hurricane Katrina, thus is not directly referencing the federal H.R. 3855.

So far these memorials are not on any calendar agenda. They will go to State Affairs since they are not considered resource memorials.

The Commission will continue to monitor and answer questions regarding these memorials.

#### **Senate Bill 1266**

This legislation will amend Section 36-1604, Idaho Code, to provide liability relief for private property owners who have airstrips on their property and who allow the public to use the airstrip for recreational purposes. Recreational purposes is also expanded to include flying of aircraft. This would expand existing Idaho law that provides such liability relief for other private property owners who allow the public access to their property for hunting and fishing.

Dallas Burkhalter stated that the Department of Transportation has shared this piece of legislation with the Department when it was in the proposal form and has been modified several times.

The Commission will monitor and follow this piece of legislation and take a look at it when it is more defined.

#### **Senate Bill 1284**

This bill amends existing law to provide that a person may not be rejected as a volunteer for a state or local governmental entity except for proven misconduct or for being convicted or found guilty of a criminal offense.

Roger Fuhrman has worked with his staff to provide extensive analysis of our volunteer program and how we select volunteers for what purposes. The Department has a variety of programs for which we need different types of people. This bill would not allow us to apply this type of criteria. We could only look at whether they had proven misconduct or had been convicted or found guilty of a criminal offense.

To date this bill has not shown up on a calendar. When it does it will go to State Affairs.

**06-09 Commissioner Gibbs moved and Commissioner Irby seconded a motion that the Commission oppose Senate Bill 1284 for all the reasons specified in the briefing sheet. The motion carried in a unanimous vote.**

#### **Additional Updates:**

Senate Bill 1258 Fishing Permit for long- term care facilities has been printed and is on the agenda for Friday's Senate Resource Committee. Ms Kiefer does not anticipate any controversy with this bill.

RS 15327 which gives authority for the Commission to add a surcharge on to controlled hunt tags to implement a bonus point system was passed for printing in the House Resource Committee. A bill number should be assigned in the next day or so.

Senate Bill 1279 introduced by Senator Langhorst will be in Agricultural affairs Thursday morning regarding importation of domestic cervidae which staff is tracking closely. The Department has been asked to testify in a technical perspective.

Director Huffaker has asked staff to put together the entire recent history of CWD in ungulates that the Department has handled or imported to include sheep and pronghorn and a history of what veterinary medical precautions we have taken with these animals.

And to put together a fact sheet of the current monitoring program what we do and a cost estimate of what it would take to substantially increase this level of surveillance.

Commissioners reviewed the potential path and timeline for the Bonus Point fee legislation. The Commission is comfortable with the timeframe set.

Gary Power and Chairman Wheeler expressed their appreciation for the work and efforts of Sharon Kiefer during this Legislative session.

Joint Memorials for this week:

- The Constitutional amendment on the right to hunt was printed yesterday but the printed version is not available yet.
- A categorical exclusion to land helicopters in the wilderness to collar wolves. House and Senate Co- chairs have written a letter to Mr. Troyer of the Forest Service requesting reconsideration of current Forest Service position on categorical exclusion.
- A Memorial to delist wolves was introduced today, numbers and text to come next week.

Chairman Wheeler asked for an update on where the Department is on the 10(j) wolf issue. Director Huffaker stated that we are taking public input on the Department website and that there are two hearings scheduled to take public testimony. The dates are February 2 in Boise and February 7<sup>th</sup> in Lewiston. These are similar to the hearings that the Fish and Wildlife Service conduct for endangered species. The reason for this type of hearing is if there is a need for NEPA analysis this public testimony can be used for part of the analysis.

In reference to the letter to Mr. Troyer it also requests his presence at the February 13<sup>th</sup> Gold Room hearing.

Commissioner Watts requested that Sharon Kiefer draft a follow up letter to Senators Keough and Sweet regarding the Commission's subcommittee actions and findings on hunters and anglers with disabilities meetings. Sharon will send a draft to Commissioners Wright and Watts for their review.

Update of peer review, Jim Unsworth stated that they have received two peer reviews and the 3<sup>rd</sup> is coming. Suggestions were incorporated. Peer reviewers identified one main area of concern being that it is difficult to tease out habitat effects from the predation effects. This is an area staff also identified, but since then there has been additional mortality on the cow elk segment being monitored. We have addressed their issues in the current draft. The 3<sup>rd</sup> peer review will be incorporated into the final draft.

We are on track for the public process. We started taking public comments on the 25<sup>th</sup> of January and the comment period will close on February 17<sup>th</sup>. The comments will be incorporated and a final draft prepared for commission review at its March meeting. If it meets commission approval it will go on to the Fish and Wildlife Service.

Commissioner Watts left the call at 9:00 a.m.

Commissioner Irby stated that Mr. Smith, from Potlatch was misquoted in the Lewiston Tribune last Wednesday. He assured Commissioner Irby that it is not their intent to decrease the public use of their lands. Mr. Smith testified at the public hearing on lands in Boise last Wednesday.

Director Huffaker stated we have been getting freedom of information requests for the peer review on the wolf proposal. Attorneys have reviewed these and have decided that the peer review comments are disclosable under the public records law of the state so we have provided that information to Defenders of Wildlife who have filed their 60 day notice to litigate this issue. Eric Barker of the Lewiston Tribune also requested this information.

Commissioner McDermott complimented the Department on the website and the information regarding wolves.

Sharon Kiefer updated Commissioners on the Department's Rules Review. One of our rule dockets has caused considerable concern on both the House and Senate sides, and we anticipate rejection of 13-0010-0501. These are rules dealing with importation, possession, release, sale or salvage of wildlife. In particular it redefining private parks which previously dealt with big game animals to a private wildlife park. Broadly expanding the definition of a private wildlife park yet they still have a nondiscretionary license requirement. Folks have asked for clarification of the intent on licensing these facilities and we agreed we can do a better job in clarifying our intent.

The meeting adjourned at 9:07 a.m.